

1 JUDGE RICHARD A. JONES
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA,) NO. CR15-165RAJ
9 Plaintiff,)
10 vs.) ORDER GRANTING DEFENDANT'S
11 BLAKE KIRVIN,) UNOPPOSED MOTION TO
12 Defendant.) CONTINUE TRIAL AND PRETRIAL
13) MOTIONS DUE DATE

14 Based on the motion to continue trial date and pretrial motions due date
15 submitted by the defense, and the files and records in this matter, the Court makes the
16 following findings of fact and conclusions of law:

17 (a) taking into account the exercise of due diligence, a failure to grant a
18 continuance in this case would deny counsel for the defendant the reasonable time
19 necessary for effective preparation due to counsel's need for more time to review the
20 evidence, consider possible defenses, and gather evidence material to the defense, as set
21 forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

22 (b) a failure to grant such a continuance in this proceeding would likely result in
23 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

24 (c) the additional time requested is a reasonable period of delay, as the defendant
25 has requested more time to prepare for trial, to investigate the matter, to gather evidence
26 material to the defense, and to consider possible defenses; and

1 (d) the case is sufficiently complex that it is unreasonable to expect adequate
2 preparation for pretrial proceedings or the trial itself within the current trial schedule, as
3 set forth in 18 U.S.C. § 3161(h)(7)(B)(ii); and

4 (e) the ends of justice will best be served by a continuance, and the ends of
5 justice outweigh the best interests of the public and the defendant in any speedier trial,
6 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

7 (f) the additional time requested between the current trial date of July 6, 2015,
8 and the new trial date is necessary to provide counsel for the defendant the reasonable
9 time necessary to prepare for trial, considering counsel's schedule and all of the facts
10 set forth above.

11 (g) that the period of delay from the date of this order to the new trial date is
12 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

13 IT IS THEREFORE ORDERED that the Defendant's unopposed motion
14 (Dkt. #17) is GRANTED. The trial date in this matter shall be continued to
15 September 21, 2015, at 9:00 a.m. All pretrial motions, including motions in limine,
16 shall be filed no later than August 13, 2015.

17 IT IS FURTHER ORDERED that the period of delay from the date of this order
18 to the new trial date is excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and
19 (h)(7)(B)(iv).

20 DATED this 2nd day of June, 2015.

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23 The Honorable Richard A. Jones
24 United States District Judge
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